

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

JER Investors Trust Inc. *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 23-12109 (TMH)

(Jointly Administered)

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR HEARING<sup>2</sup>  
ON MARCH 26, 2025, AT 11:00 A.M. (PREVAILING EASTERN TIME)**

**This proceeding will be conducted in-person.** All counsel and witnesses are expected to attend unless permitted to appear remotely via Zoom. Please refer to Judge Horan's Chambers Procedures and the Court's website (<http://www.deb.uscourts.gov/ecourt-appearances>) for information on who may participate remotely, the method of allowed participation (video or audio), Judge Horan's expectations of remote participants, and the advance registration requirements.

Registration is required by 4:00 p.m. (Prevailing Eastern Time) the business day before the hearing (*i.e.*, **March 25, 2025**) unless otherwise noticed, using the eCourt Appearances tool available on the Court's website.

**MATTERS GOING FORWARD**

1. Debtors' Second Modified Combined Disclosure Statement and Chapter 11 Plan (Filed 3/13/25; D.I. [295](#)).

Response Deadline: May 6, 2024, at 4:00 p.m. (ET); Extended to June 5, 2024, for The Bank of New York Mellon Trust Company, National Association, EJF Capital LLC, and Hildene Capital Management, LLC.

Response(s):

- A. Informal comments from the U.S. Trustee;
- B. Informal comments from The Bank of New York Mellon Trust Company, National Association;

<sup>1</sup> The Debtors in these chapter 11 cases and the last four digits of each Debtor's U.S. tax identification number are as follows: JER Investors Trust Inc. (2779) and JERIT Non-CDO CMBS 1 LLC (0778). The notice address for each Debtor is Ten Bank Street, Suite 1100, White Plains, New York 10606.

<sup>2</sup> The hearing will be held at the United States Bankruptcy Court for the District of Delaware, 824 N. Market Street, 3<sup>rd</sup> Floor, Courtroom No. 7, Wilmington, Delaware 19801.

- C. Informal comments from the U.S. Securities and Exchange Commission;
- D. EJP Capital LLC's Statement and Reservation of Rights with Respect to the Debtors' Motion for Interim Approval of the Disclosure Statement and Joint Chapter 11 Plan (Filed 3/25/24; D.I. [97](#)); and
- E. EJP Capital LLC and Hildene Capital Management, LLC's Joint Omnibus (I) Objection to Confirmation of the Debtors' Plan and Assumption of the Insider Settlement, and (II) Motion to Designate Votes (Filed 6/3/24; D.I. [135](#)).

Related Document(s):

- A. Declaration of Matthew J. Dundon in Support of Chapter 11 Petitions and First Day Pleadings (Filed 12/29/23; D.I. [10](#));
- B. Order (I) Approving the Combined Disclosure Statement and Plan on an Interim Basis for Solicitation Purposes Only; (II) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject the Combined Disclosure Statement and Plan; (III) Approving the Form of Ballot and Solicitation Packages; (IV) Establishing the Voting Record Date; (V) Scheduling a Combined Hearing for Final Approval of the Adequacy of Disclosures in, and Confirmation of, the Combined Disclosure Statement and Plan; and (VI) Granting Related Relief (Entered 3/22/24; D.I. [92](#));
- C. Debtors' Modified Combined Disclosure Statement and Chapter 11 Plan [*Solicitation Version*] (Filed 3/28/24; D.I. [100](#));
- D. Notice of Order (I) Approving the Combined Disclosure Statement and Plan on an Interim Basis for Solicitation Purposes Only; (II) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject the Combined Disclosure Statement and Plan; (III) Approving the Form of Ballot and Solicitation Packages; (IV) Establishing the Voting Record Date; (V) Scheduling a Combined Hearing for Final Approval of the Adequacy of Disclosures in, and Confirmation of, the Combined Disclosure Statement and Plan; and (VI) Granting Related Relief (Entered 3/28/24; D.I. [101](#));
- E. Notice of Plan Supplement (Filed 4/29/24; D.I. [117](#));
- F. Notice of Potential Assumption and Cure Amounts with Respect to the Debtors' Executory Contracts and Unexpired Leases (Filed 4/29/24; D.I. [118](#));
- G. Revised Order Appointing Mediator (Entered 11/6/24; D.I. [238](#));
- H. Mediator's Report (Filed 1/21/25; D.I. [267](#));
- I. Notice of Rescheduled Confirmation Hearing and Certain Related Deadlines (Filed 2/25/25; D.I. [288](#));
- J. Notice of Filing of Debtors' Second Modified Combined Disclosure Statement and Chapter 11 Plan and Redline (Filed 3/13/25; D.I. [296](#));

- K. Notice of Proposed Order Approving Stipulation Between the Debtors and EJP Capital LLC and Hildene Capital Management, LLC (I) Allowing the Claims of EJP Capital LLC and Hildene Capital Management, LLC and (II) Voting Such Claims in Favor of the Debtors' Plan (Filed 3/13/25; D.I. [297](#));
- L. Debtors' Memorandum of Law in Support of Entry of an Order Confirming the Debtors' Second Modified Combined Disclosure Statement and Chapter 11 Plan (Filed 3/21/25; D.I. [299](#));
- M. Declaration of Monica A. Molitor of Troutman Pepper Locke LLP Regarding Voting and Tabulation of Ballots Cast on the Debtors' Modified Combined Disclosure Statement and Chapter 11 Plan (Filed 3/21/25; D.I. [300](#));
- N. Declaration of Matthew J. Dundon in Support of Confirmation of Debtors' Second Modified Combined Disclosure Statement and Chapter 11 Plan (Filed 3/21/25; D.I. [301](#));
- O. Notice of Filing of Findings of Fact, Conclusions of Law, and Order Confirming the Debtors' Second Modified Combined Disclosure Statement and Plan (Filed 3/21/25; D.I. [302](#)); and
- P. Debtors' Witness and Exhibit List for March 26, 2025 Hearing (Filed 3/21/25; D.I. [303](#)).

Status: The Debtors have resolved the informal comments and formal objection received from the interested parties. This matter is going forward on a consensual basis.

- 2. Notice of Proposed Order Approving Stipulation Between the Debtors and EJP Capital LLC and Hildene Capital Management, LLC (I) Allowing the Claims of EJP Capital LLC and Hildene Capital Management, LLC and (II) Voting Such Claims in Favor of the Debtors' Plan (Filed 3/13/25; D.I. [297](#)).

Response Deadline: March 20, 2025, at 4:00 p.m. (ET).

Response(s): None.

Related Document(s):

- A. Debtors' Second Modified Combined Disclosure Statement and Chapter 11 Plan (Filed 3/13/25; D.I. [295](#)); and
- B. Certificate of No Objection Regarding Notice of Proposed Order Approving Stipulation Between the Debtors and EJP Capital LLC and Hildene Capital Management, LLC (I) Allowing the Claims of EJP Capital LLC and Hildene Capital Management, LLC and (II) Voting Such Claims in Favor of the Debtors' Plan (Filed 3/21/25; D.I. [304](#)).

Status: This matter is going forward.

Dated: March 24, 2025  
Wilmington, Delaware

**TROUTMAN PEPPER LOCKE LLP**

/s/ *Tori L. Remington*

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